

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

ESURANCE INSURANCE COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 3:08cv363HTW-LRA

SHANN MARTIN, TAMMY MARTIN, SHERRY WHITAKER,  
STACEY THURMAN, TONI NEUMANN,  
BLUE CROSS BLUE SHIELD OF ALABAMA,  
BLUE CROSS BLUE SHIELD OF MISSISSIPPI,  
ACS RECOVERY SERVICES, CIGNA HEALTH CARE  
OF TENNESSEE, INC., METLIFE AUTO AND HOME  
INSURANCE AGENCY, INC., ST. DOMINIC HOSPITAL,  
RIVER REGION HEALTH SYSTEM, INC.,  
AND MISSISSIPPI BAPTIST MEDICAL CENTER, INC.

DEFENDANTS

DEFAULT JUDGMENT

This action came on for hearing on the application of the plaintiff for a default judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure, and defendant, ACS Recovery Services, having been duly served with the summons and Complaint for Interpleader and Declaratory Relief and not being an infant or an incompetent person and having failed to plead or otherwise defend; and default having been duly entered by the clerk; defendant, ACS Recovery Services, having taken no proceedings since such default was entered; the Court, having considered said motion and being fully advised in the premises, finds that said motion is well taken and should be sustained.

IT IS, THEREFORE, ORDERED AND ADJUDGED that default judgment is awarded against defendant, ACS Recovery Services, and ACS Recovery Services shall take nothing in this action.

ORDERED AND ADJUDGED, this the 9th day of February, 2009.

s/ HENRY T. WINGATE  
CHIEF UNITED STATES DISTRICT JUDGE

PRESENTED BY:

GEORGE E. ABDO, III - BAR # 9782  
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Civil Action No. 3:08-cv-363 HTW-LRA  
Default Judgment against ACS Recovery Services